

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of ASHLEY ROSS and MARK  
WELLS, Minors.

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FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHELLE ROSS and MAX WELLS,

Respondents-Appellants.

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UNPUBLISHED

February 9, 1999

Nos. 211217;211377

Genesee Juvenile Court

LC No. 96-106564 NA

Before: Gribbs, P.J., and Saad and P.H. Chamberlain\*, JJ.

MEMORANDUM.

In Docket No. 211217, respondent Michelle Ross appeals as of right from the juvenile court order terminating her parental rights to the minor children. In Docket No. 211377, respondent Max Wells appeals as of right from the same juvenile court order terminating his parental rights to his minor child, Mark Wells. We affirm.

In Docket No. 211217, the juvenile court did not clearly err in finding that the statutory grounds for termination under MCL 712A.19b(3)(c)(i), (g) and (j); MSA 27.3178(598.19b)(3)(c)(i), (g) and (j), were established by clear and convincing evidence. MCR 5.974; *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, respondent Ross does not contend, nor does the record indicate, that termination of Ross' parental rights was clearly not in the children's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, 222 Mich App 470, 472-473; 564 NW2d 156 (1997).

Respondent Ross also argues that the Family Independence Agency failed to make reasonable accommodations for her mental illness in accordance with the Americans with Disabilities Act. 42 USC 12131 *et seq.* Because respondent failed to raise this issue below, we consider it waived. *Vander Bossche v Valley Pub*, 203 Mich App 632, 641; 513 NW2d 225 (1994); *In re CM*, 526 NW2d 562

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\* Circuit judge, sitting on the Court of Appeals by assignment.

(Iowa App, 1994). Thus, the juvenile court did not err in terminating respondent Ross' parental rights to the children.

In Docket No. 211377, the juvenile court did not clearly err in finding that the statutory grounds for termination under MCL 712A.19b(3)(a)(ii) and (g); MSA 27.3178(598.19b)(3)(a)(ii) and (g) were established by clear and convincing evidence. MCR 5.974; *In re Miller, supra*. Respondent Wells' claim that the trial court erred by not inquiring into his ability to properly care for his child is without merit, because the evidence showed that Wells did not even visit his child until after the termination process began. Respondent Wells also failed to show that termination of his parental rights was clearly not in the child's best interests. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith, supra*. Respondent Wells' remaining issues are not preserved for appeal because they were not set forth in his statement of the questions involved. MCR 7.212(C)(5); *Lansing v Hartsuff*, 213 Mich App 338, 351; 539 NW2d 781 (1995). Accordingly, the juvenile court did not err in terminating respondent Wells' parental rights to the child.

Affirmed.

/s/ Roman S. Gibbs

/s/ Henry William Saad

/s/ Paul H. Chamberlain